

AMENDMENTS TO THE DRAWINGS:

The attached sheets of drawings include changes to:

Figures 1 and 2 on sheet 1;

Figures 3-5 on sheet 2;

Figures 9-11 on sheet 5; and

Figure 12 on sheet 6.

Figures 1-5, 10, and 11 include no substantive changes, and are amended only to the extent that the line quality and hatching have been improved.

Figure 9 has been amended only to insert the schematically represented RADIAL RIBS.

Figure 12 has been amended only to replace the original identification of element 41 with a bracketed identification.

Neither of the present amendments adds new matter to the application.

REMARKS

This application has been amended to place it in condition for allowance at the time of the next Official Action.

The Official Action objects to the drawings because the drawings are not in compliance with 37 CFR §1.84. Applicant has amended the drawing figures as necessary to eliminate the bases for this objection, and reconsideration and withdrawal of such objection are therefore respectfully requested.

The Official Action objects to the drawings under 37 CFR §1.83(a) for failing to show every feature of the invention specified in the claims. The Official Action refers to the radial ribs of claim 28. Applicant has amended Figure 12 to identify such element. As the representation is purely schematic, and as the radial ribs are disclosed in the application as originally filed, such drawing amendment introduces the required illustration without adding new matter to the application. Reconsideration and withdrawal of this objection are therefore respectfully requested.

The Official Action objects to the disclosure because of the following informalities: the specification should have appropriate headings and each part of the invention should be designated by a reference character. Applicant has amended the specification to insert the appropriate headings, and reconsideration and withdrawal of this objection are therefore respectfully requested.

The Official Action objects to claims 22 and 26-28 because of the following informalities: no clear antecedent basis is seen for the terms such as "the latter," "the front plate," and "the front part" in claim 22. Applicant has amended claim 22 as necessary to eliminate the bases for this objection, and reconsideration and withdrawal thereof are therefore respectfully requested.

The Official Action objects to the claims because they include reference characters, which are not enclosed within parentheses. Applicant has amended the claims to eliminate the bases for this objection, and reconsideration and withdrawal thereof are therefore respectfully requested.

The Official Action rejects claim 28 under 35 USC §112, first paragraph, for failing to comply with the written description requirement. As discusses above in connection with the drawing objection, Applicant has amended the drawing figures to introduce the element to which the present rejection refers, and reconsideration and withdrawal of this rejection are therefore respectfully requested.

The Official Action rejects claims 22 and 26-28 under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as his invention. Applicant has amended the claims to eliminate the bases for this rejection, and

reconsideration and withdrawal are therefore respectfully requested.

The Official Action rejects claim 22 under 35 USC §102(b) as being anticipated by GIORGIO FR 2 623 769. Reconsideration and withdrawal of this rejection are respectfully requested for the following reasons.

The pedal of claim 22 differs from that shown in the closest prior art document FR 2623769, in that the retaining element for the shoe comprises both a gripping member adapted to coact with the forward part of the sole of the shoe as well as a rear movable gripping member adapted to coact with the rear part of the heel of the shoe, the rear movable gripping element being adapted to be moved under the pressure of the rear part of the sole from a gripping position, by passing through an open position, to a return to the gripping position constrained by resilient means. The applied reference fails to disclose at least the securement features recited.

The claimed device also provides improvement in pedaling in terms of transmission of force, which is absent from the reference.

Reconsideration and withdrawal of this rejection are therefore respectfully requested.

The Official Action rejects claim 22 under 35 USC §103(a) as being unpatentable over GIORGIO in view of BERNARD et al. U.S. 4,686,867.

The Official Action offers the secondary reference for its asserted teaching or suggestion of an interlocking mechanism including a movable rear mechanism. However, the combination of references fails to teach or suggest the full set of features recited by the two references.

In order to carry out the choice of the securement means adapted to ensure the best transmission of force, one of skill in the art must not only consult the range of available solutions, but must also adapt the kinematics and the dynamics relative to an off-axis pedal. The choice of the transmission means defined in claim 22 provides for an optimum transmission of force, even in the two posterior quadrants of the curve shown in Figure 2 of the present application.

There is no indication of such characteristic in the prior art, including the references of record and the two references applied in the present rejection.

The Official Action states that claims 26-28 are allowable but for their dependence from a rejected base claim. Each of claims 22 and 26-28 are believed to be in condition for allowance. Moreover, applicant has added new claims 39-41. These claims should be allowable at least by virtue of the allowability of claims 26-28.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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EJ/lrs

**APPENDIX:**

The Appendix includes the following items:

- replacement drawing sheets